



Hudson River PCBs Superfund Site Design & Cleanup Progress Report No. 3 U.S. Environmental Protection Agency September 30, 2002

Progress Report No. 3 Highlights

- ***EPA's Hudson River Field Office Has a Grand Opening***
- ***EPA & GE Sign Agreement to Sample Hudson River Sediment***
- ***Work Plans Developed for Design Sediment Sampling Program***
- ***Public Availability Sessions Held on Sediment Sampling & Cultural Resources***
- ***Community Interviews Summary Report Issued***
- ***Two Community Workshops Held to Develop New Community Involvement Plan***
- ***Draft Community Involvement Plan Under Development***

Grand Opening of EPA's Hudson River Field Office

On August 2, EPA Regional Administrator Jane Kenny led the formal opening of EPA's Hudson River Field Office, which opened informally to the public on June 4, 2002. Residents and community leaders attended the ribbon-cutting ceremony, at which Ms. Kenny said "While we are literally the new kids on the block, we hope this office will quickly become a familiar place for people in the area. We want you to consider this office a friendly new neighbor. You may not be able to borrow a cup of sugar, but you will get answers to your questions on the project, which is one of the largest and most important cleanups that EPA has ever undertaken."



Those appearing in the photograph above are, from left to right: Mechanicville Supervisor Chris Sgambati, EPA Regional Administrator Jane Kenny, Saratoga County Board of Supervisors Chairman Bob Hall, Town of Ft. Edward Supervisor Merrilyn Pulver, and NYS DEC Deputy Commissioner Susan Taluto.

N.G. Kaul serves as Director of the Hudson River Field Office and is assisted full-time in the office by Leo Rosales, EPA Community Involvement Coordinator, and Danielle Adams and Mary Harrington, both with Ecology & Environment, a firm contracted by the U.S. Army Corps of Engineers to maintain the office for EPA.

Sediment Sampling Administrative Order on Consent

On July 23, 2002, EPA signed an Administrative Order on Consent (AOC) with General Electric Company (GE). The AOC is available for review at www.epa.gov/hudson. With this settlement, GE has

agreed to fund and perform sediment sampling, analysis, and geophysical characterization of sediments. The sampling program will provide data needed for the design of the remedy set forth in EPA's February 2002 Record of Decision for the Hudson River PCBs site. Some of the features of the settlement are:

- o Collection of approximately 30,000 sediment samples from the Upper Hudson. Some samples will be collected this year, starting in October, and the remainder next year;
- o Work will be performed in accordance with a Field Sampling Plan (available at www.epa.gov/udson/fieldstudy.htm), which has been approved by EPA and is appended to the AOC, as well as additional work plans which specify how the sampling program is to be done (see *Design Sediment Sampling Program* section below);
- o GE reimbursement of \$5 million toward EPA's past costs and up to \$2.625 million in oversight costs for the sampling program;
- o GE and its consultants will conduct the work, which will be overseen by EPA and the U.S. Army Corps of Engineers (Corps) and its consultants. The New York State Department of Environmental Conservation (DEC) will also participate in the oversight of the work; and
- o EPA retains three important aspects of the design: development of performance standards; sediment processing/transfer facility siting; and community outreach and involvement.

EPA decided that given the size and complexity of the site, and the need to start sediment sampling work this construction season, it made the most sense to take a phased approach to settlement and sign a consent order with GE just for the sediment sampling work. Since the signing of the sampling AOC, EPA has initiated negotiations with GE on a separate AOC (design AOC) dealing with the remainder of the design work. Subsequent discussions with GE regarding the company's performance of the remedial action (dredging) will be conducted upon completion of the design AOC.

Design Sediment Sampling Program

Upper Hudson Sediment Sampling (2002/2003): Beginning in early October, consultants working for GE will be in the Upper Hudson to begin collecting approximately 30,000 sediment samples. The two-year sediment sampling program is necessary to determine the precise areas of the Upper Hudson between Fort Edward and the Troy Dam that require dredging.

Sediment sampling work will be performed in accordance with work plans, including: a Sediment Field Sampling Plan, Quality Assurance Project Plan and a Community Health & Safety Plan. Additional work plans will be developed in the future for the remainder of the design work and for the dredging activities.

Sediment Field Sampling Plan: The Sediment Field Sampling Plan (FSP) has been approved by EPA and is appended to the AOC. It describes the approach to the sediment sampling program, methods to be used for sediment characterization, data management and evaluation, and reports to be submitted by GE. The FSP can be viewed at the Hudson River Field Office or at www.epa.gov/udson/fieldstudy.htm.

Quality Assurance Project Plan: EPA is in the process of reviewing GE's draft Quality Assurance Project Plan (QAPP) for the sediment sampling program. It includes a detailed description of the data quality objectives – essentially, why the data are being collected, how they will be used, what they will be compared to, and how they will be interpreted – as well as provisions necessary to ensure that appropriate analytical techniques are selected. Also included in the QAPP are descriptions of sampling

methods, analytical and testing methods, sampling locations and frequency of sampling. After the QAPP is approved by EPA, it will be available to the public at www.epa.gov/udson, and at EPA's Hudson River Field Office.

Community Health & Safety Plan for the Sediment Sampling Program:

The sampling AOC requires GE to develop a Community Health and Safety Plan (CHASP) for EPA approval prior to the start of sediment sampling work. The purposes of the sediment sampling CHASP are to ensure that the work associated with the upcoming sediment sampling activities is performed in a manner that is safe to the public and the environment and, in the event of an accident, to provide a prompt and effective response. The sediment sampling CHASP covers only the activities related to the sediment sampling program. A future CHASP will cover subsequent site activities, including dredging.

The sediment sampling CHASP includes the following:

- (1) An outline of the procedures for notifying the appropriate response agencies of any emergency conditions;
- (2) List of key personnel and alternates responsible for protection of the public in connection with site activities;
- (3) Plans showing the location and layout of any temporary facilities (e.g., mobile office trailers) to be utilized during the sampling program; and
- (4) Description of potential hazards and risks associated with the work at the site and the potential public health impacts of site activities.

EPA accepted public input on the CHASP from September 12 through September 26, 2002, during which time EPA held a public availability session on September 23 at the Hudson River Field Office in Ft. Edward, NY. EPA approved the CHASP on September 27, 2002. To get more information on the CHASP or other aspects of the sediment sampling program, please contact the Hudson River Field Office at (518) 747-4389 or e-mail at hrfo@capital.net. The CHASP is available at the field office and online at www.epa.gov/udson.

Community Outreach

Public Availability Sessions Held on Sediment Sampling Work



Despite the summer heat, approximately 70 folks came to public availability sessions held at the Ft. Edward School on August 1. They spent a while talking to EPA, GE, their consultants and with each other, asking questions about the sampling agreement and upcoming sediment sampling work. Topical display booths on sediment sampling and community involvement activities were manned by EPA's technical staff and managers. GE's consultants displayed and demonstrated the use of coring and sample collection equipment.

Public Availability Sessions Held on Cultural & Archaeological Resources

Approximately 40 people dropped by the Hudson River Field Office on August 21 to attend public availability sessions held by EPA on the topic of cultural and archaeological resources in the Upper Hudson. John Vetter, EPA's in-house expert on cultural and archaeological resources, gave brief presentations on what steps EPA has taken to address cultural and archaeological artifacts in the Hudson River and the process for further evaluation of these resources in the future. John Vetter and representatives from the New York State Historic Preservation Office (SHPO) were on hand to answer questions and hear feedback from the community.

Background:

EPA is required to comply with the National Historic Preservation Act (NHPA) in carrying out its mission. In particular, under Superfund law, substantive requirements of Section 106 of NHPA are integrated into the Superfund site investigation, design and cleanup process. Historic properties need to be identified, then evaluated as to their significance, and ultimately taken into consideration during the design of the cleanup process. Where adverse effects to the resources are unavoidable, appropriate mitigation must be carried out. The NHPA process is carried out in consultation with SHPO and in the context of a detailed public participation process.

Prior to the February 2002 selection of the Hudson River PCBs site remedy, EPA completed a Stage 1A Cultural Resources Survey (available at www.epa.gov/hudson/rod.htm, then click on Book 3 Part 3). During the design of the dredging project, additional resource surveys will be conducted in accordance with Section 106. The upcoming sediment sampling work includes opportunities to collect information to evaluate whether cultural resources are present within the Upper Hudson, such as the use of side-scan sonar and visual examination of sediment cores. EPA is asking residents and local historians to pitch in and help identify sites that might have some historical significance. EPA will factor that input, the results of surveys, and information gathered during the sediment sampling program into the overall design of the dredging project.

Summary of Listserv Notices Issued Since Progress Report #2

Site updates and notices are posted on EPA's Hudson River Web site (www.epa.gov/hudson) and through EPA's free subscription-based Listserv. Since Design & Cleanup Progress Report Number 2 was issued on June 7, 2002, EPA issued the following Listserv notices:

June 10	Notice on New York State Canal Corporation Navigational Dredging
June 27	Clarifications to Press Articles
June 28	Notice on the Availability of Marasco Newton Group's Stage One Community Interviews Summary Report
July 12	Announcement of July 15 Marasco Newton Community Workshop #1
July 23	Notice on EPA-GE Administrative Order on Consent
July 24	Announcement of August 1 Public Availability Sessions on Sediment Sampling
July 31	Notice on GE's Habitat Investigation Work
August 13	Announcement of August 21 Public Availability Sessions on Cultural and Archaeological Resources
August 19	Announcement of August 27 Marasco Newton Community Workshop #2
September 12	Announcement of September 23 Public Availability Session on the Sediment Sampling Community Health & Safety Plan

Community Involvement Plan Development

Stage One: Community Interviews (Completed)

Marasco Newton Group (MNG), under contract with EPA, prepared and issued to the public the Stage One Community Interviews Summary Report (Stage One Report). It portrays the views of nearly 150 Hudson Valley community members who were interviewed by an independent team of public participation professionals regarding how the public should be meaningfully involved in the design and implementation of the Hudson River PCBs dredging project. MNG released the Stage One Report on June 28, 2002 and has since finalized it following an opportunity for public input on the report. The final Stage One Report is available at www.epa.gov/hudson and at www.marasconewton/hudsonriver. The viewpoints of interviewees served as the focus of community workshops held in July and August, and as a foundation for recommendations that are currently being developed by MNG.

Stage Two: Community Workshops (Completed)

Two community workshops were held to discuss development of EPA's Community Involvement Plan. On July 15, 2002, MNG convened the first community workshop at the Schuylerville High School. It focused primarily on the community's information needs, information sharing, and principles and methods of public participation in Hudson River design and cleanup activities. A summary of the workshop is available at www.marasconewton.com/hudsonriver or by calling MNG at 1 800-480-9058.

MNG convened a second community workshop on August 27 in Ft. Edward at the Ft. Edward Fire House. The workshop focused on the draft community involvement framework, which contained preliminary recommendations for the new community involvement program and a draft example of public participation in the development of Quality of Life Performance Standards. MNG is preparing, and will soon make available to the public, a Stage 2 Summary Report containing MNG's recommendations for a public participation program.

Stage Three: Preparation of the Draft Community Involvement Plan (Under Development)

Information from the Stage One interviews and Stage Two community workshops is being used by MNG to prepare a draft Community Involvement Plan for EPA. The draft Community Involvement Plan, which will serve as the blueprint for public participation throughout design and dredging operations, will soon be submitted by EPA to the public for review and comment. During the comment period, EPA will hold public availability sessions to facilitate discussions and answer questions regarding the draft plan. In the coming weeks, EPA will announce the availability of the draft Community Involvement Plan for review and will provide details on the public availability sessions.

Contacts & Feedback:

If you have comments on this progress report, or have suggestions for future progress reports please contact **David Kluesner, Community Involvement Coordinator at (212) 637-3653** (kluesner.dave@epa.gov).

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